

## SCHEDULES

### SCHEDULE 6

Regulation 6(e)

#### Feedingstuffs

### PART 1

#### Restrictions on feeding proteins to animals

##### **Prohibition on feeding animal protein**

1.—(1) It is an offence to feed to any ruminant animal or non-ruminant farmed animal any animal protein (or anything containing animal protein) which is prohibited by Article 7 and Chapter I of Annex IV in relation to that animal.

(2) The prohibition in sub-paragraph (1) does not apply to the feeding of any animal in accordance with Chapter II of Annex IV.

##### **Movement prohibitions and restrictions**

2.—(1) Where an inspector has reasonable grounds to believe that a ruminant or non-ruminant farmed animal has been fed or has had access to any animal protein (or anything containing animal protein)—

- (a) which is prohibited by Article 7 and Annex IV in relation to that animal; or
- (b) for which the inspector cannot establish the origin,

the inspector may take the action specified in sub-paragraph (2).

(2) The inspector may serve a notice on the owner or person in charge of the animal in accordance with regulation 16 prohibiting or restricting the movement of the animal and requiring it to be kept in such manner as the notice provides.

(3) Where the notice is served in respect of a bovine animal, the inspector must—

- (a) ensure that its cattle passport is stamped “Not for human consumption”; or
- (b) seize or detain its cattle passport, in which case the cattle passport may be so stamped before being returned.

(4) It is an offence to consign for slaughter for human consumption or to slaughter for human consumption any animal whose cattle passport has been stamped in accordance with sub-paragraph (3).

##### **Killing of animals**

3. Where an inspector has reasonable grounds to believe that a ruminant or non-ruminant farmed animal has been fed or has had access to any material referred to in paragraph 2, the inspector may serve a notice on the owner or person in charge of the animal in accordance with regulation 16 requiring the owner or person in charge of the animal to kill the animal and dispose of it, as specified in the notice.

### **Compensation**

4.—(1) Where an animal is killed under paragraph 3, the Welsh Ministers may pay compensation if the Welsh Ministers consider it appropriate in all the circumstances and must give the decision on whether or not to pay compensation in writing.

(2) The appeals procedure in regulation 11 applies in relation to the decision.

(3) The compensation for—

- (a) a bovine animal is the value established in accordance with paragraphs 10 and 11 of Schedule 3;
- (b) an ovine or caprine animal is the value established in accordance with paragraph 15 and 16 of Schedule 4; and
- (c) an animal that is not bovine, ovine or caprine is the market value of the animal at the time it is killed, established in accordance with the procedure laid down in regulation 12(3) to (7), with the owner paying any valuation fee arising.

### **Restriction and disposal of unlawful feedingstuffs**

5. Where unlawful feedingstuffs have been identified by an inspector as suspected of containing material prohibited by Annex IV, an inspector may serve a notice on the owner or person in possession of the feedingstuffs to—

- (a) restrict animal access to the area where the feedingstuffs are stored;
- (b) prevent the feedingstuffs being fed to animals generally, or prevent it being fed to those animals specified in the notice;
- (c) require disposal of the feedingstuffs by the owner or person in possession of the feedingstuffs in accordance with instructions contained in the notice, with the cost of such disposal being borne by the recipient of the notice.

## **PART 2**

### **Production of protein and feedingstuffs**

#### **Premises producing compound feed intended for non-ruminant farmed animals**

6.—(1) This paragraph applies to compound feed which contains—

- (a) fishmeal;
- (b) dicalcium and tricalcium phosphate of animal origin; or
- (c) blood products derived from non-ruminants.

(2) Any person producing compound feed, or complete feed from compound feed, intended for feeding to non-ruminant farmed animals must do so in accordance with Section B of Chapter III of Annex IV and—

- (a) in premises authorised by the Welsh Ministers for the purposes of that Section; or
- (b) in the case of home compounders producing complete feed from compound feed, only where they are registered for that purpose by the Welsh Ministers.

(3) Failure to comply with this paragraph is an offence.

#### **Fishmeal intended for non-ruminant farmed animals**

7.—(1) Any person producing, packaging or using—

- (a) fishmeal; or
- (b) compound feed containing fishmeal,

for feeding to non-ruminant farmed animals must do so in accordance with Section A of Chapter IV of Annex IV.

(2) The documentation and label accompanying the fishmeal must be in accordance with that Section.

(3) Failure to comply with this paragraph is an offence.

#### **Dicalcium and tricalcium phosphates intended for non-ruminant farmed animals**

8.—(1) Any person packaging or using—

- (a) dicalcium phosphate or tricalcium phosphate of animal origin; or
- (b) compound feed containing such phosphates,

for feeding to non-ruminant farmed animals must do so in accordance with Section B of Chapter IV of Annex IV.

(2) The documentation and label accompanying the phosphates must be in accordance with that Section.

(3) Any person who transports or stores the phosphates (or compound feed containing the phosphates) in bulk for feeding to non-ruminant farmed animals must do so in accordance with Section A of Chapter III of Annex IV—

- (a) in compliance with any procedure which has been authorised by the Welsh Ministers for the purposes of that Section; and
- (b) (in the case of storage plants to which point 2 of that Section applies), in storage plants which have been authorised for that purpose by the Welsh Ministers.

(4) Any occupier of premises who keeps farmed animals for which the phosphates are not intended must not use or store the phosphates or any compound feed containing them on the premises except in the case of compound feed—

- (a) where measures approved by the Welsh Ministers have been implemented in accordance with Section D of Chapter III of Annex IV; and
- (b) in compliance with the conditions of any authorisation which may be issued to the occupier for that purpose.

(5) Failure to comply with this paragraph is an offence.

#### **Blood products intended for non-ruminant farmed animals**

9.—(1) Any person collecting or transporting blood intended to be used for the production of blood products derived from non-ruminants must do so—

- (a) in accordance with Section C of Chapter IV of Annex IV; and
- (b) (where blood is being collected) from a slaughterhouse which has been registered or authorised by the Welsh Ministers for that purpose.

(2) Any person producing, storing, transporting, packaging or using—

- (a) blood products derived from non-ruminants; or
- (b) compound feed containing such products,

for feeding to non-ruminant farmed animals must do so in accordance with Section C of Chapter IV of Annex IV and in compliance with any authorisation issued by the Welsh Ministers for the purposes of that Section.

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(3) Any person producing such blood products or compound feed containing such products must do so in premises registered for the purposes of that Section by the Welsh Ministers, unless otherwise authorised by the Welsh Ministers in accordance with that Section.

(4) The documentation and label accompanying the blood or blood products must be in accordance with that Section.

(5) Any person who transports or stores the blood products (or compound feed containing such products) in bulk for feeding to non-ruminant farmed animals must do so in accordance with Section A of Chapter III of Annex IV—

- (a) in compliance with any procedure which has been authorised by the Welsh Ministers for the purposes of that Section; and
- (b) (in the case of storage plants to which point 2 of that Section applies), in storage plants which have been authorised for that purpose by the Welsh Ministers.

(6) Any person importing a consignment of the blood products (or compound feed containing them) from a third country for feeding to non-ruminant farmed animals must ensure the products are analysed in accordance with Section C of Chapter III of Annex IV in order to verify the absence of unauthorised constituents of animal origin.

(7) Any occupier of premises who keeps farmed animals for which the products are not intended must not use or store the products or any compound feed containing them on the premises except in the case of compound feed—

- (a) where measures approved by the Welsh Ministers have been implemented in accordance with Section D of Chapter III of Annex IV; and
- (b) in compliance with the conditions of any authorisation which may be issued to the occupier for that purpose.

(8) Failure to comply with this paragraph is an offence.

**Processed animal protein other than fishmeal and processed animal protein derived from farmed insects for feeding to aquaculture animals**

**10.**—(1) Any person producing, collecting, storing, transporting, packaging or using—

- (a) processed animal protein derived from non-ruminants other than—
  - (i) fishmeal; and
  - (ii) processed animal protein derived from farmed insects; or
- (b) compound feed containing such protein,

for feeding to aquaculture animals must do so in accordance with Section D of Chapter IV of Annex IV and must comply with the conditions of any authorisation issued by the Welsh Ministers for the purposes of that Section.

(2) Any person producing the compound feed containing such protein, or complete feed from the compound feed, must do so—

- (a) in premises authorised for that purpose by the Welsh Ministers; or
- (b) in the case of home compounders producing complete feed from compound feed, only where they are registered for that purpose by the Welsh Ministers.

(3) The documentation and label accompanying the processed animal protein (or compound feed containing it) must be in accordance with that Section.

(4) Any person supplying or transporting by-products for the production of the processed animal protein must do so—

- (a) in accordance with Section D of Chapter IV of Annex IV; and

- (b) where by-products are supplied, from a slaughterhouse, cutting plant or other establishment which is registered for that purpose by the Welsh Ministers.

(5) Failure to comply with this paragraph is an offence.

#### **Processed animal protein derived from farmed insects for feeding to aquaculture animals**

**11.**—(1) Any person producing, storing, transporting, packaging or using—

- (a) processed animal protein derived from farmed insects; and
- (b) compound feed containing such protein,

for feeding to aquaculture animals must do so in accordance with Section F of Chapter IV of Annex IV and must comply with the conditions of any authorisation issued by the Welsh Ministers for the purposes of that Section.

(2) Any person producing the compound feed containing such protein, or complete feed from the compound feed, must do so—

- (a) in premises authorised for that purpose by the Welsh Ministers; or
- (b) in the case of home compounders producing complete feed from compound feed, only where they are registered for that purpose by the Welsh Ministers.

(3) The documentation and label accompanying the processed animal protein (or compound feed containing it) must be in accordance with that Section.

(4) Failure to comply with this paragraph is an offence.

#### **Milk replacers containing fishmeal for feeding to unweaned ruminants**

**12.**—(1) Any person—

- (a) producing fishmeal for use in milk replacers for feeding to unweaned ruminant farmed animals, or
- (b) producing, storing, transporting, packaging or using milk replacers containing fishmeal for feeding to unweaned ruminant farmed animals,

must do so in accordance with Section E of Chapter IV of Annex IV and in compliance with any procedure which has been authorised by the Welsh Ministers for the purposes of that Section.

(2) Any person producing the milk replacers must do so in premises authorised for that purpose by the Welsh Ministers.

(3) The documentation and label accompanying the milk replacers must be in accordance with Section E of Chapter IV of Annex IV.

(4) Any person importing from a third country a consignment of the milk replacers must ensure each consignment is analysed in compliance with that Section in order to verify the absence of unauthorised constituents of animal origin.

(5) Any occupier of premises who uses milk replacers for feeding to unweaned ruminants and who keeps on the premises other ruminant animals must be registered with the Welsh Ministers for the purposes of that Section.

(6) Failure to comply with this paragraph is an offence.

#### **Processed animal protein, including fishmeal, derived from non-ruminants**

**13.**—(1) This paragraph applies to—

- (a) processed animal protein derived from non-ruminant animals, including fishmeal and processed animal protein derived from farmed insects, and

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- (b) compound feed containing such protein.
- (2) Any person who transports or stores the protein in bulk for feeding to non-ruminant farmed animals must do so in accordance with Section A of Chapter III of Annex IV—
  - (a) in compliance with any procedure which has been authorised by the Welsh Ministers for the purposes of that Section; and
  - (b) (in the case of storage plants to which point 2 of that Section applies), in storage plants which have been authorised for that purpose by the Welsh Ministers.
- (3) Any person importing from a third country a consignment of the protein for feeding to non-ruminant farmed animals must ensure it is analysed in accordance with Section C of Chapter III of Annex IV in order to verify the absence of unauthorised constituents of animal origin.
- (4) Any occupier of premises who keeps farmed animals for which the protein is not intended must not use or store it or any compound feed containing it on the premises except in the case of compound feed—
  - (a) where measures approved by the Welsh Ministers have been implemented in accordance with Section D of Chapter III of Annex IV; and
  - (b) in compliance with the conditions of any authorisation which may be issued to the occupier for that purpose.
- (5) Failure to comply with this paragraph is an offence.

#### **Feed materials and compound feed**

- 14.**—(1) Any person who transports and stores bulk feed materials and bulk compound feed containing products derived from ruminants must do so in accordance with Section B of Chapter V of Annex IV and in compliance with any procedure which has been authorised by the Welsh Ministers for the purposes of that Section.
- (2) Any person producing compound feed intended for fur animals or for pet animals which contains products derived from ruminants or from non-ruminants must do so in accordance with Section C of Chapter V of Annex IV.
- (3) Any occupier of premises who keeps farmed animals must not use or store any feed materials or compound feed for farmed animals containing products derived from ruminants except in accordance with Section D of Chapter V of Annex IV.
- (4) Failure to comply with this paragraph is an offence.

#### **Export of processed animal protein to third countries**

- 15.**—(1) It is an offence to export to a third country processed animal protein derived from ruminants, or processed animal protein derived from both ruminants and non-ruminants, except in accordance with the conditions in point 1 of Section E of Chapter V of Annex IV.
- (2) It is an offence to export to a third country products containing processed animal protein derived from ruminants, except in accordance with the conditions in point 2 of Section E of Chapter V of Annex IV.
- (3) It is an offence to export to a third country processed animal protein derived from non-ruminants, or compound feed containing such protein, except in accordance with the conditions in point 3 of Section E of Chapter V of Annex IV and in compliance with the conditions of any authorisation issued by the Welsh Ministers for that purpose.